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Attorneys for Defendants:

JAMES B. PINTO REVOCABLE TRUST U/A
DTD 12/1/03; and JAMES B. PINTO, *individually*
and in his capacity as Grantor and Trustee for the
James B. Pinto Revocable Trust

**IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Adv. Pro. No.08-01789 (SMB)

Plaintiff-Appellant,

SIPA LIQUIDATION

v.

(Substantially Consolidated)

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In Re:

BERNARD L MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Adv. Pro. No. 10-04538 (SMB)

Plaintiff,

v.

JAMES B. PINTO REVOCABLE TRUST U/A
DTD 12/1/03; and JAMES B. PINTO, individually
and in his capacity as Grantor and Trustee for the
James B. Pinto Revocable Trust,

Defendants.

**CERTIFICATE OF NO OBJECTION OF MOTION OF DEFENDANTS'
COUNSEL ROBERT M. McCLAY AT THE LAW FIRM OF McCLAY•ALTON,
P.L.L.P. AND DEFENDANTS' COUNSEL MARVIN C. INGBER FOR AN ORDER
PURSUANT TO RULE 2090-1(e) OF THE LOCAL BANKRUPTCY RULES TO
REMOVE BRUCE S. SCHAEFFER AS COUNSEL TO DEFENDANTS**

Defendants JAMES B. PINTO REVOCABLE TRUST U/A DTD 12/1/03; and JAMES B. PINTO, individually and in his capacity as Grantor and Trustee for the James B. Pinto Revocable Trust (“Defendants”), by and through their undersigned counsel, Robert M. McClay, McClay•Alton, P.L.L.P. and Marvin C. Ingber (“Active Counsel for Defendants”) submit this certificate pursuant to the United States Bankruptcy Court, Southern District of New York, Local Bankruptcy Rule 9075-2, and respectfully represent:

1. On April 22, 2015, Active Counsel for Defendants filed the *Motion of Defendants' Counsel Robert M. McClay at the Law Firm of McCLAY•ALTON, P.L.L.P. and Defendants' Counsel Marvin C. Ingber for an Order Pursuant to Rule 2090-1(e) of the Local Bankruptcy Rules to Remove Bruce S. Schaeffer as Counsel to Defendants* (the “Motion”) (08-01789, ECF No. 9852; 10-04588, ECF No. 40).

2. The deadline for filing objections to the Motion expired on June 3, 2015 at 4:00 p.m. prevailing Eastern time. A hearing on the Motion has been scheduled for June 8, 2015 at 12:00 p.m. prevailing Eastern time.

3. Notice of the Motion was provided by U.S. Mail, postage prepaid or email to:

- a. Defendant James B. Pinto;
- b. Bruce S. Schaeffer, Esq.;
- c. Trustee c/o Marc E. Hirschfield, Esq., Dean Hunt, Esq. and Farrell A. Hochmuth, Esq.;
- d. All parties included in the Master Service List as defined in the Order Establishing Notice Procedures and Limiting Notice dated November 5, 2011 (ECF No. 4560);
- e. All parties that have filed a notice of appearance in this case: Kevin H. Bell, Esq. with Securities Investor Protection Corporation.

4. Counsel has reviewed the Court's docket not less than forty-eight (48) hours after expiration of the time to file an objection, and to date, no objection, responsive pleading, or request for a hearing with respect to the Motion appears thereon. Additionally, no party has indicated to the Active Counsel for Defendants that it intends to oppose the relief requested in the Motion.

5. An electronic copy of a proposed order (the "Order"), substantially in the form of the proposed order annexed to the Motion will be submitted to the Court, along with this Certificate.

6. Pursuant to United States Bankruptcy Court, Southern District of New York Local Bankruptcy Rule 9075-2, Active Counsel for Defendants respectfully request that the Order be entered without a hearing.

Dated: St. Paul Minnesota

June 5, 2015

By: /s/ Robert M. McClay
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Dated: Edina, Minnesota
June 5, 2015

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